



BellSouth Telecommunications, Inc.  
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REC'D TN  
REGULATORY AUTH.

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Guy M. Hicks  
General Counsel

September 15, 1999

OFFICE OF THE  
EXECUTIVE SECRETARY

**VIA HAND DELIVERY**

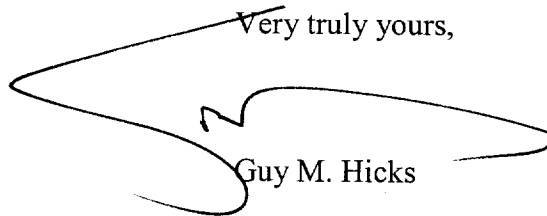
Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: *Petition by ICG TELECOM GROUP, INC. for Arbitration of an Interconnection Agreement with BELLSOUTH TELECOMMUNICATIONS, INC. pursuant to Section 252(b) of the Telecommunications Act of 1996*  
Docket No. 99-00377

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s First Interrogatories to ICG Telecom Group, Inc. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH/jem

Enclosure

FILE

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
Nashville, Tennessee

In Re:	)	
	)	
Petition by ICG TELECOM GROUP, INC. for	)	
Arbitration of an Interconnection Agreement with	)	Docket No. 99-00377
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
pursuant to Section 252(b) of the Telecommunications	)	
Act of 1996.	)	
_____	)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**FIRST INTERROGATORIES TO ICG TELECOM GROUP, INC.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests ICG Telecom Group, Inc. ("ICG") to provide answers in response to the following Interrogatories by September 27, 1999.

**INSTRUCTIONS**

(a) If any response required by way of answer to these Interrogatories is considered to contain confidential or protected information, please furnish this information subject to a protective agreement.

(b) If any response required by way of answer to these Interrogatories is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.

(c) These Interrogatories are to be answered with reference to all information in your possession, custody or control or reasonably available to you.

(d) If any Interrogatory cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of an

Interrogatory, answer all parts of the Interrogatory to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These Interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these Interrogatories subsequently become known or should your initial response be incorrect or untrue.

### **DEFINITIONS**

(a) "ICG" means ICG Telecom Group, Inc., any predecessors in interest, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of ICG.

(b) "You" and "your" refer to ICG.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the

communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(f) “Arbitration Petition” refers to the petition filed by ICG on May 27, 1999 requesting arbitration under Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (“Act”).

(g) “Incumbent Local Exchange Carrier” refers to the term as defined in Section 252(h) of the Act, as codified in 47 U.S.C. § 252(h).

### **INTERROGATORIES**

1. Identify all persons participating in the preparation of the answers to these Interrogatories or supplying information used in connection therewith.

2. Identify each person whom you expect to call as an expert witness at the arbitration hearing. With respect to each such expert, please state the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.

3. Identify each person whom you have consulted as an expert in anticipation of this arbitration or in preparation for a hearing in this arbitration who is not expected to be called as a witness. With respect to each such expert, please state the facts known by and opinions held by this expert concerning any matters raised in the Arbitration Petition.

4. Identify all documents which refer or relate to any issues raised in the Arbitration Petition that were provided or made available to any expert identified in response to Interrogatory Nos. 2 or 3.

5. Identify all documents upon which ICG intends to rely or introduce into evidence at the hearing on this matter.

6. Please state the total number of end user customers that ICG serves within the state of Tennessee.

7. Please state the total number of end user customers that ICG serves off of its own network ("on-net" customers) within Tennessee.

8. Please state the total number of ICG's on-net customers in Tennessee that are Internet Service Providers ("ISPs").

9. State the percentage of ICG's customers in Tennessee that are residential customers.

10. Please state on a monthly basis the total amount of revenue that ICG has received from providing services within Tennessee to its end-user customers.

11. Please state on a monthly basis the total amount of revenue that ICG has received from providing services within Tennessee to its "on-net" end-user customers.

12. For the Tennessee ISP customers identified in response to Interrogatory No. 8, please state, on an annual basis, (a) the total amount billed by ICG for service to those customers from inception of service to present, (b) the amounts of any credits, rebate, or adjustments given to such customers, and (c) the total amount of revenue collected from such customers, from inception of service to present.

13. Please provide ICG's total dollar investment in Tennessee, including total dollar investment in switches, outside plant, and support assets.

14. Provide the total number of switches ICG has deployed in Tennessee.

15. Identify any cost study or other data or documents concerning the actual cost to ICG to transport ISP traffic from the point of interconnection with BellSouth to the ISP server being served by an ICG switch.

16. State the recurring and nonrecurring rates you contend BellSouth should charge in Tennessee for the frame relay elements necessary to provide packet-switch services, including the User-to-End Network Interface, Network-to-Network Interface, and the Data Link Control Identifiers and Committed Information Rates. In answering this Interrogatory, describe with particularity the method by which these rates were calculated.

17. Identify all studies, evaluations, reports, or analyses prepared by or for ICG since January 1, 1996 that refer or relate to the cost to BellSouth or any other Incumbent Local Exchange Carrier of providing any of the unbundled network elements or other services requested by ICG in its Arbitration Petition.

18. Are there any types of frame relay elements necessary to provide packet-switched services that you have requested from BellSouth that you contend BellSouth has refused to provide on an unbundled basis? If the answer is in the affirmative:

- (a) identify with particularity the type of element you requested which BellSouth allegedly has refused to provide;
- (b) state the date when you first requested the element and the date BellSouth allegedly refused to provide it;
- (c) state the reasons purportedly given by BellSouth for its refusal to provide element; and
- (d) identify all documents that refer or relate to ICG's request for or BellSouth's refusal to provide each such element.

19. Identify all states in which ICG has requested an Incumbent Local Exchange Carrier (other than BellSouth) to provide ICG with an “Enhanced Extended Link” or “EEL” alternative. In answering this Interrogatory, please:

- (a) identify the Incumbent Local Exchange Carrier to whom the request was made;
- (b) state the date of ICG’s request and the date of the Incumbent Local Exchange Carrier’s response; and
- (c) describe with particularity the Incumbent Local Exchange Carrier’s response to ICG’s request.

20. Does ICG contend that if it were to receive an EEL, that it could put both local and toll traffic over the EEL? If so, explain the justification for this position.

21. Identify all proceedings conducted under the Act, including, but not limited to, arbitrations under Section 252 of the Act, in which ICG has sought to require that an Incumbent Local Exchange Carrier (other than BellSouth) provide ICG with an “Enhanced Extended Link” or “EEL” alternative. In answering this Interrogatory:

- (a) identify the jurisdiction in which the proceeding was conducted, describe the nature of the proceeding, and state the docket number assigned to the proceeding;
- (b) state the dates when the proceeding was initiated and when it was concluded, if applicable;
- (c) state the result of the proceeding.

22. Identify all states in which ICG has requested an Incumbent Local Exchange Carrier (other than BellSouth) to provide ICG with volume and term discounts on unbundled

network elements consistent with those available for the Incumbent's special access services. In answering this Interrogatory:

- (a) identify each Incumbent Local Exchange Carrier to whom such a request was made;
- (b) state the date of ICG's request and the date of the Incumbent Local Exchange Carrier's response; and
- (c) describe with particularity the Incumbent Local Exchange Carrier's response to ICG's request, including the discounts to which the incumbent agreed, if any.

23. Identify all proceedings conducted under the Act, including, but not limited to, arbitrations under Section 252 of the Act, in which ICG has sought to require that an Incumbent Local Exchange Carrier (other than BellSouth) provide volume and term discounts on unbundled network elements purchased from that Incumbent. In answering this Interrogatory:

- (a) identify the jurisdiction in which the proceeding was conducted, describe the nature of the proceeding, and state the docket number assigned to the proceeding;
- (b) state the dates the proceeding was initiated and when it was concluded, if applicable;
- (c) state the result of such proceeding.

24. Does ICG contend that TELRIC cost methodology is based on the cost of the network as it currently exists, or the cost of the network as it will look in the future?

25. Identify all states in which ICG is providing local exchange service and identify the number of access lines being served by ICG in each such state.



26. Identify all agreements between ICG and an Incumbent Local Exchange Carrier under Section 252 of the Act, whether the agreement was entered into through voluntary negotiation or compulsory arbitration. In answering this request:

- (a) identify the Incumbent Local Exchange Carrier that is a party to each such agreement;
- (b) state the effective date of each such agreement; and
- (c) state the expiration date of each such agreement.

27. Identify any and all cost studies, evaluations, reports or analyses prepared by or for ICG concerning any issue raised by ICG in the Arbitration Petition.

28. Identify all state or federal legal authority that ICG contends grants the Tennessee Regulatory Authority the right to award or order liquidated damages against telecommunications carriers in an arbitration under the Telecommunications Act of 1996.

29. Identify all state or federal legal authority that ICG contends requires BellSouth to provide ICG with volume and term discounts for UNEs under the Telecommunications Act of 1996.

30. Identify all state and federal legal authority that supports ICG's contention that traffic to ISPs is local traffic.

31. State with particularity each cost for which ICG is willing to compensate BellSouth if BellSouth agrees to binding forecasts as proposed by ICG (e.g. cost of trunks only, labor-specific costs, etc.).

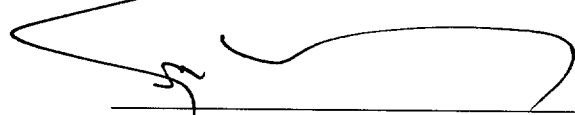
32. State whether any other Incumbent Local Exchange Carrier has agreed to the binding forecasts proposed by ICG in this arbitration proceeding. If so, identify the Incumbent

Local Exchange Carrier that has so agreed, and identify the agreement in which the provision of binding forecasts is contained.

33. Identify any and all state or federal laws or regulatory authority upon which ICG relies in support of its contention that BellSouth is obligated to provide binding forecasts.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.



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**CERTIFICATE OF SERVICE**


I hereby certify that on September 15, 1999, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight

Richard Collier, Esquire  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0500

- ☒ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight

Henry Walker, Esquire  
Boult, Cummings, et al.  
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P. O. Box 198062  
Nashville, TN 37219-8062



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